

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVON HENDERSON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 4:22-CV-00206

(Chief Judge Brann)

ORDER

FEBRUARY 15, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Defendant's Rule 12(b)(1) motion to dismiss, Doc. 17, is **GRANTED**.
2. Henderson's complaint is **DISMISSED** without prejudice for lack of subject matter jurisdiction.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal from this order is **DEEMED** frivolous and not in good faith.¹

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

¹ See 28 U.S.C. § 1915(a)(3).